

Attorney Docket No. 1271

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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| Applicant: | Charne, <i>et al.</i> | Date: | September 25, 2003 |
| Serial No.: | 09/994,092 | Group Art Unit: | 1638 |
| Filed: | November 16, 2001 | Examiner: | Kruse, David H. |
| For: | BRASSICA NAPUS WITH EARLY MATURITY (EARLY NAPUS) AND RESISTANCE TO AN AHAS-INHIBITOR HERBICIDE | | |

Assistant Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO RESTRICTION REQUIREMENT

This is in response to the Office Action mailed August 12, 2003, in which the Examiner has required restriction to one of the following inventions:

- I: Claims 1-34, drawn to a *Brassica napus* plant cell, tissue culture or plant which is Early Napus and resistant to at least one AHAS-inhibitor herbicide and methods of breeding said plant, classified in class 435, subclass 418.
- II: Claims 35-41, drawn to a method for preparing oil and/or meal from seed of a *Brassica* plant, classified in class 426, subclass 489.
- III: Claims 42-49, drawn to vegetable oil comprising all or part of a plant cell of a *Brassica* plant, classified in class 426, subclass 601.
- IV: Claims 50-56, drawn to meal produced using seed of a *Brassica* plant, classified in class 426, subclass 615.


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Applicants hereby elect without traverse to prosecute the claims of Group I, claims 1-34, drawn to a *Brassica napus* plant cell, tissue culture or plant which is Early Napus and resistant to at least one AHAS-inhibitor herbicide and methods of breeding said plant, and expressly reserve the right to file divisional applications or take such other appropriate measures deemed necessary to protect the inventions in the remaining claims.

Should the Examiner have further questions or comments with respect to examination of this case, it is respectfully requested that the Examiner telephone the undersigned so that further examination of this application can be expedited.

It is not believed that extensions of time or fees for net addition of claims are required beyond those which may be otherwise provided for in documents accompanying this paper. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 CFR § 1.136(a), and any fee required therefore is hereby authorized to be charged to Deposit Account No. 16-1852.

Respectfully submitted,



Claire L. Moxon

Agent for Applicant(s)

(See: LIMITED RECOGNITION
UNDER 37 CFR § 10.9(b)
SUBMITTED HEREWITH)

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